

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Steven L. Bromley

v.

Civil No. 06-cv-181-JD

State of Utah, et al.

REPORT AND RECOMMENDATION

On May 12, 2006, Steven L. Bromley sued the State of Utah and several of its officers who have garnished his wages in New Hampshire. Bromley claims that the defendants' actions have violated his constitutional right to due process, were taken in the absence of jurisdiction over him, and violate the provisions of 15 U.S.C. § 1673. He requested that the court grant him relief in a temporary restraining order.

In a Report and Recommendation issued on May 17, 2006, I recommended that Bromley's request for a temporary restraining order be denied, but that a prompt preliminary injunction hearing be set. Document No. 4. Bromley filed no objection to the Report and Recommendation, and the District Judge approved it on June 9, 2006. Document No. 6. This matter was then scheduled for a preliminary injunction hearing to be held on June 26, 2006. Notice of the injunction hearing was sent to Bromley, and that

notice has not been returned to the court as undeliverable. In addition, Bromley was informed that since he is proceeding in this action in forma pauperis, he is entitled to have the United States Marshal serve the complaint and summonses on defendants. Blank summonses were sent to Bromley and have not been returned to the court.

This matter was called for a preliminary injunction hearing as scheduled on June 26, 2006. Neither Bromley nor any of the named defendants appeared. Accordingly, I recommend that the court dismiss this action without prejudice based on Bromley's failure to prosecute.

Any objections to this Report and Recommendation must be filed within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of Law Comm. v. Gordon, 979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).


James R. Muirhead
United States Magistrate Judge

Date: June 26, 2006
cc: Steven L. Bromley, pro se